

ITC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

O I P E JC177
OCT 04 2004
P A T E N T & T R A D E M A R K O F F I C E

In re application of : Confirmation No.: 3029
YI, Kennon : Examiner: Hung Xuaan DANG
Serial No.: 10/608,123 : Group Art Unit: 2873
Filed: June 30, 2003 :
For: HALF-JACKET EYEWEAR WITH :
REMOVABLE DUST SHIELD :
McLean, Virginia
October 4, 2004

**RESPONSE TO RESTRICTION REQUIREMENT
AND REQUEST FOR RECONSIDERATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Restriction Requirement is filed in response to the Office Action dated September 3, 2004, directed to the above-identified application.

In response thereto, Applicant elects for purposes of prosecution and with transverse, the claims of Group I namely Claims 1-12 and 24-30. Applicant further requests reconsideration of the restriction/election requirement.

REMARKS

The Examiner bases his requirement for restriction/election on the argument that the inventions are distinct because of different recited limitations in the claims and because they "have acquired a separate status in the art". Applicant respectfully disagrees. As the Examiner has noted, all of the claims are classified in Class 351. The fact that they may have different subclass designations does not make the